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Joseph Yanny
Yanny & Grieco
1925 Century Park East
Suite 1260
Los Angeles, CA. 90067

In re Application of
Nate Mullen
Application No. 09/738,024
Filed: December 14, 2000
For: Voltage Equalizer Hub TM Wiring Method
And Apparatus

Three Week Letter

A petition for access was filed by James H. Frist on behalf of Stanley K. Shibata and Focus Industries, Inc. for access to certain application(s) on June 28, 2001.

The petition was filed with proof of service upon applicant's attorney of record. Accordingly, a copy of the petition papers is not enclosed.

A review of Office records indicates that the above-identified application is the intended application. If this determination is incorrect, Applicant should indicate which application(s) are the correct application(s).

A member of the public may be entitled to access if "special circumstances" are shown which warrant a grant of access under 35 U.S.C. § 122. See Manual of Patent Examining Procedure (MPEP), Section 103. Assuming, arguendo, that Gross, et al. has filed such an application, the use of such application to interfere with the business of others may be such special circumstances. Ex parte Bonnie-B Co. Inc., 1923 C.D. 42; In re Application for Trimless Cabinets, 128 USPQ 95 (Comm'r Pats. 1960); and In re Crossman, Kenrick, and LeMieux, 187 USPQ 367 (PTO Sol. 1975).

Petitioner urges that access should be granted to the above-identified application because of alleged interference in their business which they believe constitutes special circumstances. The interference described in the petition is a letter dated May 2, 2001, from Joseph A. Yanny, demanding that petitioner cease and desist from certain activities that allegedly infringe rights to be conveyed by the above-identified application.

Applicants are hereby given THREE WEEKS from the date of this letter to file an opposition to this access request. If applicants reply within the three week period, applicants' comments will be considered in deciding the petition. See MPEP section 103.

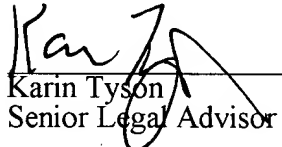
Any correspondence with respect to this matter should be addressed as follows:

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Telephone inquiries should be directed to Michael L. Lewis at (703) 306-5585.


Karin Tyson
Senior Legal Advisor